

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Perri Fagin	Team: Squad #5	CCRB Case #: 201701822	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Sunday, 11/13/2016 9:00 AM	Location of Incident: Brunswick Avenue and Nameoke Avenue	Precinct: 101	18 Mo. SOL 5/13/2018	EO SOL 5/13/2018	
Date/Time CV Reported	CV Reported At: IAB	How CV Reported: E-mail	Date/Time Received at CCRB Thu, 03/09/2017 11:41 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Brian Cohen	19214	958416	101 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POF Cassandra Matthews	11378	939055	101 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Brian Cohen	Discourtesy: Police Officer Brian Cohen acted discourteously toward § 87(2)(b)	

Case Summary

§ 87(2)(b) the sole victim of this case, filed this complaint via email with IAB, generating log # 2017-8019, on March 5, 2017. This complaint was received at the CCRB on March 9, 2017.

On November 13, 2016, § 87(2)(b) was driving alone on Nameoke Avenue in the vicinity of the intersection with Brunswick Avenue in Queens when he was pulled over by PO Brian Cohen and PO Cassandra Matthews of the 101st Precinct (see Allegations Not Pleaded). PO Cohen and PO Matthews informed § 87(2)(b) that they observed him disobey a stop sign on Nameoke Avenue and Redfern Avenue a few blocks earlier. PO Cohen requested § 87(2)(b)'s license and registration, which § 87(2)(b) immediately produced. PO Cohen and PO Matthews went to their vehicle and returned to § 87(2)(b) approximately 10 minutes later. PO Cohen allegedly threw the summons at § 87(2)(b) (**Allegation A**), and yelled "Because you didn't even try to stop!" PO Cohen and PO Matthews returned to their vehicle and drove away.

The summons § 87(2)(b) received was for disobeying a stop sign and § 87(2)(b) appeared in traffic court on § 87(2)(b). § 87(2)(b) was found guilty § 87(2)(b).

There was no available video footage of this incident.

Mediation, Civil and Criminal Histories

- § 87(2)(b) rejected mediation.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]
[REDACTED]
- As of March 21, 2017, § 87(2)(b) has not filed a Notice of Claim regarding this incident (Board Review 02).

Civilian and Officer CCRB Histories

- This is the second CCRB complaint § 87(2)(b) has filed. § 87(2)(b)
[REDACTED]
[REDACTED]
- PO Cohen has been a member-of-service for one year and this is the first CCRB complaint filed against him.

Findings and Recommendations

Allegations not pleaded

Abuse of Authority: A vehicle stop allegation is not being pleaded as it is undisputed that PO Cohen issued § 87(2)(b) a summons pursuant to observing him disobey a stop sign. § 87(2)(g)
[REDACTED]

Allegation A -Discourtesy: Police Officer Brian Cohen acted discourteously towards § 87(2)(b)

§ 87(2)(b) (Board Review 04) testified that when PO Cohen returned to the driver's side of § 87(2)(b)'s vehicle, he threw the summons (Board Review 05) at § 87(2)(b) and yelled, "Because you didn't even try to stop!" PO Cohen then handed § 87(2)(b) his license and

registration. § 87(2)(b) told PO Cohen that if he did not stop at the stop sign, it was unintentional, and that he had never received a traffic ticket before.

PO Cohen (Board Review 06) testified that when he returned to the driver's side of § 87(2)(b)'s vehicle, PO Cohen informed § 87(2)(b) of the process of responding to the summons, including that he would need to mail it in and appear in traffic court. § 87(2)(b) repeated that he did not disobey the stop sign. PO Cohen handed § 87(2)(b) the summons and his identifying documents, passing them him from his hand to § 87(2)(b)'s. There was no issue in giving § 87(2)(b) his summons, which was wrapped around his identifying documents. PO Cohen denied throwing the summons at § 87(2)(b).

PO Matthews (Board Review 07) did not recall any details of this incident, nor did she recognize a photo of § 87(2)(b). However, PO Matthews testified that she had never witnessed PO Cohen throw a summons at anyone.

§ 87(2)(b) [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad: 5

Investigator:	_____	_____	_____
	Signature	Print	Date
Squad Leader:	_____	_____	_____
	Title/Signature	Print	Date
Reviewer:	_____	_____	_____
	Title/Signature	Print	Date